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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,354	02/21/2002	Terry Baiko	PALM-3750	9763

7590 03/05/2004

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EXAMINER

CHANG, YEAN HSI

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 03/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/081,354

Applicant(s)

BAIKO ET AL.

Examiner

Yean-Hsi Chang

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13, 15-24 and 26-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13, 15-24 and 26-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, and 10-11 are rejected under 35 U.S.C. 102(e) as being anticipated by White et al. (US 6,532,152 B1).

White teaches an impact protection device (2002, fig.13) having:

- A first interface (2017, fig. 14) configured to conform to a surface (shown in fig. 15, not numbered) of a digital watch portable computer device (a hand-held computer 200, fig. 15, with inherent function of a timepiece being able to be carried in a pocket may be a digital watch portable computer; referring to Merriam Webster Collegiate Dictionary) (claim 1)
 - A second interface (2016, fig. 14) configured to receive a peripheral component (2020, fig. 15) (claim 1)
-

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- An impact absorbing material, an elastic material allowing transfer of energy through the material (see col. 26, lines 1-2, and lines 54-62) (claims 1 and 10-11)
- Where the portable computer has a slot (shown in fig. 16, not numbered) for receiving the peripheral component (claim 2).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5, 9-13, 15-19, 213-24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson et al. (US 2003/0071791 A1) in view of White et al.

Hanson teaches a system comprising:

- A digital watch portable computer (100, fig. 1; see explanation in paragraph 2) having a first slot (130, fig. 1) provided for receiving a first portion (a first interface, 150, fig. 1) of a peripheral component (10, fig. 1) (claims 2, 16 and 26)
- An impact protection device (160, fig. 1) having a second slot (a second interface, shown in fig. 2, not numbered) provided for receiving a second portion (170, fig. 2) of the peripheral component (claims 1, 15, and 26)

- Where peripheral component is a secure digital input/output (SDIO) card and the second interface is configured to receive the SDIO card when the SDIO card is inserted into the portable computer (see page 3, [0037]) (claims 3 and 17)
- Where the peripheral component protrudes outside the slot of the portable computer device for receiving the peripheral component (shown in fig. 1) (claims 4, 18 and 26)
- Where the portable computer has a front side (not numbered) where a display screen (110, fig. 1) is located, a back side (not numbered, fig. 1) opposite the front side, a right side and a left side, and wherein the slot for receiving the peripheral component is on the top side of the portable computer (shown in fig. 1) (claims 5 and 19)
- Wherein the protective device protects the protruding portion of the peripheral card when the peripheral card is inserted into the portable computer (shown in fig. 1) (claims 9 and 23)
- Where the portable computer is a cellular telephone (300, fig. 5) (claim 12)
- Where the portable computer is a personal digital assistant (PDA) (100, fig. 1) (claim 13)

Hanson fails to teach the impact protection device comprising an impact absorbing material.

~~White teaches an impact protection device (300, fig. Fig. 3A) comprising impact absorbing material (see col. 14, lines 12-19) (claims 1, 10-11, 15, 24 and 26).~~

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Hanson with the impact protection device taught by White for purposes of effectively absorbing impacts from outside.

5. Claims 6-7, 20-21 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson in view of Ito (US 2003/0186570 A1).

Hanson discloses the claimed invention except the slot for receiving the peripheral component being on the side of the portable computer device.

Ito teaches a portable computer device (1, fig. 2) comprising a slot (9a, fig. 2) being on the side of the portable computer device (also see page 2, paragraph [0035]).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Hanson with the slot taught by Ito for sufficient space and convenience

6. Claims 8, 22 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson et al. in view of Cheng (US 2003/0148664 A1).

Hanson discloses the claimed invention except the slot for receiving the peripheral component being on the bottom of the portable computer device.

Cheng teaches a portable computer device (3, fig. 3) comprising a slot (at location 2, fig. 3) being on the bottom of the portable computer device.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Hanson with the slot taught by Cheng for sufficient space and convenience.

Allowable Subject Matter

7. The indicated allowability of claims 14 and 25, which have been canceled, is withdrawn in view of the definition of a watch given by Merriam Webster Collegiate Dictionary.

Correspondence

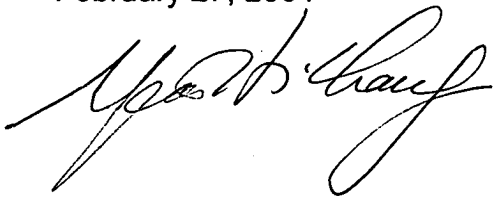
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (571) 272-2038. The examiner can normally be reached on 07:30-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the Art Unit phone number is (571) 272-2800, ext. 35. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3431 for regular communications and for After Final communications. There are RightFax numbers and provide the fax sender with an auto-reply fax verifying receipt by the USPTO: Before-Final (703-872-9318) and After-Final (703-872-9319).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8558.

Yean-Hsi Chang
Patent Examiner
Art Unit: 2835
February 27, 2004

A handwritten signature in black ink, appearing to read 'Yean-Hsi Chang', written in a cursive style.